

**Village Council  
Monday,  
August 3, 2009  
7:00 PM**

**Minutes**

**Call to Order:** Mr. Deeds called the meeting to order at 7pm

**Pledge of Allegiance:** Dr. Bender led the Pledge of Allegiance.

**Roll Call:**

John Bender	Rick Deeds	Bruce Jarvis	Bobbie Mershon
Victor Paini	Marilyn Rush-Ekelberry	Leah Turner	

**Approval of Minutes:**

Mrs. Rush-Ekelberry moved to approve the minutes of the July 20<sup>th</sup>, 2009 meeting. Mrs. Turner seconded the motion.

**VOTE:**       **AYES** Dr. Bender, Mr. Jarvis, Mrs. Turner  
                      Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Paini

**NAYS**

Mrs. Mershon abstained. Motion Carried.

**Communications & Petitions:**

A letter was received from Ronald J. Mills, Executive Director of the Solid Waste Authority of Central Ohio regarding intentions with private haulers.

A Notice of Appeal was received from James E. Baltzer of the decision of the Planning & Zoning Commission on July 13, 2009 regarding the variance request VA-09-05.

A letter was received from SWACO regarding the increase in the Municipal Solid Waste Disposal Fee as a result of the new state budget bill from \$3.50 per ton to \$4.75 per ton. Said fee is used in part to fund the OEPA and soil and water conservation programs at the Ohio Department of Natural Resources.

A letter was received from Ronald J. Mills, Executive Director of the Solid Waste Authority of Central Ohio regarding the invitation to meet with the Mayor and Village Council regarding attendance at the August 3<sup>rd</sup> meeting. SWACO requests the Village's patience as they review and consider options to address waivers that authorize the out-of-district disposal of solid waste generated within Franklin County.

Five-minute limit per person

**Jeffrey Bond**, of 146 Washington Street Apt. C, stated that he is concerned about the Planning and Zoning issue that is coming up. He was a President of a neighborhood association at one time and understands that people just can't go against the grain. They should consider the terms before they move into the neighborhood.

**ORDINANCES:**

Sponsor: Mrs. Mershon

Mrs. Mershon read the ordinance and moved to adopt Ordinance 50-09. Dr. Bender seconded the motion.

**NAYS**

Sponsor: Mrs. Mershon

Mrs. Mershon read the ordinance and moved to suspend the rules for the second and third readings. Mr. Paini seconded the motion.

**NAYS**

**NAYS**

Motion carried.

## **RESOLUTIONS**

### **Third Reading**

Sponsor: Mrs. Rush-Ekelberry

R-09-07A A RESOLUTION AUTHORIZING THE LABOR DAY FESTIVAL COMMITTEE TO OPERATE THE ANNUAL "CANAL WINCHESTER LABOR DAY FESTIVAL" ON THE VARIOUS STREETS AND SIDEWALKS OF THE VILLAGE OF CANAL WINCHESTER

Mrs. Rush-Ekelberry read the Resolution and moved to adopt Resolution 09-09. Dr. Bender seconded the motion.

**VOTE:**       **AYES** Dr. Bender, Mr. Jarvis, Mrs. Turner, Mrs. Mershon  
                      Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Paini

**NAYS**

Motion carried.

### **SECOND Reading**

Sponsor: Mr. Jarvis

R-07-07C A RESOLUTION TO ADOPT THE DOWNTOWN CANAL WINCHESTER PROPERTY ASSESSMENT AND EVALUATION STUDY DATED JULY 2009 VERSION 5.0

Mr. Jarvis read the resolution. Second reading only.

### **FIRST Reading**

Sponsor: Mr. Jarvis

R-09-08A A RESOLUTION TO ADOPT THE FIVE YEAR CAPITAL IMPROVEMENTS PLAN/MAINTENANCE OF EFFORT FOR THE CALENDAR YEARS 2010-2014 FOR THE VILLAGE OF CANAL WINCHESTER OHIO

Mr. Jarvis read the resolution. First reading only.

### **Mayor's Report:**

Mayor Ebert stated that the Gender Rd Safety study from last year was the focus of a meeting last week with Columbus and ODOT. Columbus is on board and wanting to get it taken care of. We are now trying to organize the funding and get ODOT's approval. A large portion of these improvements will be Columbus'. Another meeting with ODOT is scheduled for the end of this month and then they will take it further and a decision reached by the end of September.

The Pelotonia cycling event will feature Lance Armstrong and has been advertised as coming to Canal Winchester, though the actual route is outside of the Village. See attached map.

Ed's Open House was Friday, July 31<sup>st</sup>, 2009 he was presented with a gift from donations and a key to the Village.

### **Fairfield County Sheriff:**

Sgt. Kern stated he is volunteering along the Pelotonia route.

Community watch was out 17 times in July and gave some information to the Deputies.

The motorcycle ride went through town without incident, though turn out was dampened by the rain.

Sgt. Kern presented his report.

**Village Solicitor:**

Mr. Hollins stated that Council will be presented with written Findings and Orders before Mr. Baltzer's appeal to the Planning and Zoning Commission. Mr. Jarvis asked for clarification of the appeal and Mr. Hollins explained the background of the appeal. He also stated that there is a need for executive session tonight for the purposes of pending litigation.

**Finance Director:**

See written report

**Public Works Director:**

See written report

**Development Director:**

The Open House for the multi-use Pathway plan map is from 6-7pm on Wednesday at Town Hall.

The sign on Walnut Street by the Industrial Park was damaged and the street dept. fixed it and it looks great.

Manifold & Phalor has submitted their engineering plans.

AK Athletic has submitted their building plans.

Dr. Bender asked about the flower bed on Thrush Drive and the light at Columbus / Washington. Ms. Osborn stated that the Village has looked at that area and there are enough people walking and daycares in the area to warrant having that light there.

**Council Reports:**

Old Town Committee	Monday, August 10, 2009 at 5:45 PM
- Preservation Guidelines ad hoc committee	looked at recent buildings done in historic settings and will try to take that vision and produce a document with the guidelines.
Finance Committee	Tuesday, September 8, 2009 at 5:45 PM
Service Committee	Monday, August 17, 2009 at 5:45 PM
Safety Committee	Monday, August 10, 2009 at 5:00 PM
Parks Advisory Committee	Wednesday, August 26, 2009 at 6:30 PM
Committee of Whole	Monday, August 31, 2009 at 6:30 PM 1 <sup>st</sup> Hour Joint with P & Z

**New Business:**

Ms. Osborn needed to set the date for the public hearing for the Baltzer appeal. It was decided to be at 6:30pm on September 8<sup>th</sup> and the opinion will be rendered at the general council meeting on the 21<sup>st</sup> of September.

Mrs. Turner asked why it takes so long for Contractors to demolish old buildings that are empty. Mr. Hollins stated we are working on a disrepair ordinance. Many of them are based on a finding of nuisance before the court will give authority to; in essence, take value from people's property. Much research has been done into this issue. Mr. Hollins stated that something will be brought forward for consideration within the next two to three weeks. Further discussion ensued.

Dr. Bender asked about serving on the Board of Trustees for CW Human Services. It was decided that he would be an excellent representative of the Village on that Board.

Mr. Hollins stated that they looked into the effective date on the change to the Reverse Auction and the change doesn't become effective for 90 days. So he is working on the specs for the skate park so that it can be done within that timeline as a reverse auction.

**Adjourn to Executive Session:**

Mr. Deeds moved adjourn to Executive session for pending litigation. Mrs. Rush-Ekelberry seconded the motion. Mr. Hollins, Mr. Strayer, Ms. Osborn and Mayor Ebert will attend.

**VOTE:**       **AYES** Dr. Bender, Mr. Jarvis, Mrs. Turner, Mrs. Mershon  
Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Paini

**NAYS**

Motion carried. Time out 7:59pm Time back in 8:35pm

**Adjournment:**

Mr. Deeds moved to adjourn the meeting; seconded by Mr. Paini.

**VOTE:**       **AYES** Dr. Bender, Mr. Jarvis, Mrs. Turner, Mrs. Mershon  
Mrs. Rush-Ekelberry, Mr. Deeds, Mr. Paini

## NAYS

Motion carried. Time out 8:34pm

Clerk of Council

President of Council

Date \_\_\_\_\_

Mayor

**NOTE: The minutes set forth herein are an extract of the Council meetings. Anyone desiring a transcript of the complete minutes of the Council meeting may obtain the same at a cost of \$10.00 per page.**